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Letter dated 22 March 2016 from the Permanent Representative of Brazil to the United Nations addressed to the President of the General Assembly

It is my honour to inform you of the decision of the Government of Brazil to present its candidature to the Human Rights Council for the period 2017-2019, at the elections to be held during the seventy-first session of the General Assembly, in October 2016.

The Government of Brazil looks forward to contributing to the work of the Human Rights Council in a constructive and innovative way and to further strengthening the Council, cooperating with its members and with all Members States to promote the fulfilment of the important mandate entrusted to the Council.

In accordance with General Assembly resolution 60/251, I have the honour to present herewith the voluntary pledges and commitments of the Government of Brazil to the promotion and protection of human rights at the national and international levels (see annex).

I should be grateful if you would arrange for the present letter and its annex to be circulated as a document of the General Assembly.

(*Signed*) Antonio de Aguiar Patriota
Ambassador
Permanent Representative

* A/71/50.

Annex to the letter dated 22 March 2016 from the Permanent Representative of Brazil to the United Nations addressed to the President of the General Assembly

Candidature of Brazil to the Human Rights Council, 2017-2019

Voluntary pledges and commitments pursuant to General Assembly resolution 60/251

Commitment to advancing all human rights in the United Nations system

1. Brazil renews its unconditional commitment to achieving the highest standards in the promotion and protection of human rights at the domestic, regional and international levels. Brazil is fully engaged in the universal human rights system. We are convinced that overcoming many of the most important obstacles to the dignity and well-being of human beings everywhere requires the realization of their rights. We are determined to contribute to the work of the Human Rights Council in a constructive and innovative way.

2. Inspired by the principles of universality and dialogue, Brazil looks forward to remaining fully engaged in the ongoing debate on institutional matters related to the Council. As the Human Rights Council approaches its tenth anniversary, we must seize on the opportunity to assess its activities and achievements and to improve its working methods.

3. A forum such as the Human Rights Council has the responsibility to support national systems to promote and protect human rights for all and to prevent violations of those rights. The Human Rights Council should support countries committed to overcoming their challenges in the field of human rights. By addressing the implementation gap and increasing its capacity to act as a catalyst for change, the Human Rights Council can uphold its credibility and legitimacy, based not only on the inherent value of its goals, but also on its effective impact on the ground.

4. Development and human rights are interrelated and mutually reinforcing. If elected, Brazil will fulfil its mandate bearing in mind this correlation and aiming to reflect it in the activities of the Human Rights Council.

5. Brazil believes the Council is most effective when Member States work across regions to advance human rights, avoiding polarization and allowing the Council to focus on solutions. Whenever addressing a specific situation, a genuine effort should be made through dialogue, cooperation and engagement to identify the most effective way to achieve tangible results, based on the variety of mechanisms established in the Human Rights Council institution-building package and circumstances on the ground. We must establish dialogue, cooperation and engagement as keystones of our work, in order to strengthen the Human Rights Council and to create the conditions for the Council to achieve its goals and fulfil its mandate, as defined in General Assembly resolution 60/251. In observing this mandate, we will work to avoid the politicization of the Council's deliberations, with a view to ensuring the most effective way to achieve the full realization of human rights everywhere. The universal periodic review remains one of the most important mechanisms of the Human Rights Council. After completing two full cycles, it is time to examine possibilities for further refining the universal periodic

review, for example, by offering cooperation based on national experiences and lessons learned.

6. According to General Assembly resolution 60/251, one of the roles of the Council is to contribute, through dialogue and cooperation, to the prevention of human rights violations. However, such a preventive role has been relatively overlooked by the Council and by the United Nations system as a whole.

7. If elected, Brazil will seek to engage States and civil society in a debate on how to enhance the preventive dimension of the Council and that of the United Nations human rights system, through effective and holistic strategies. As the main global human rights forum, the Council has an important role in the identification of situations and issues of concern worldwide and in the analysis of their implications for human rights. As part of our commitment to strengthening the preventive role of the Human Rights Council, Brazil will also continue to support the Council's special procedures, which are an invaluable element of the United Nations human rights system and can be well positioned to function as early warning mechanisms.

8. Besides contributing to the fulfilment of the mandates of existing procedures, Brazil has worked for the establishment of new procedures. This was the case of the new mandate for the Special Rapporteur on the right to privacy, adopted through resolution 28/16, which will be crucial in examining how to uphold this right, as modern technologies challenge privacy on an unprecedented scale.

Participation in the Human Rights Council

9. The promotion and protection of human rights constitute fundamental values on which the legitimacy and democratic foundations of the Brazilian State are based. These values are enshrined in the Brazilian Constitution and are reflected in Brazil's accession to the main international human rights treaties. They are translated into the adoption of a series of policies to promote and protect human rights and the creation of a range of mechanisms to foster dialogue and political participation in the formulation and implementation of related policies.

10. For the period 2017-2019, Brazil reaffirms its determination to participate in the activities of the Human Rights Council in accordance with a non-selective, objective and universal perspective regarding the treatment of human rights, while avoiding politicization or bias. Every situation should be subject to the same objective standards and every deliberation geared towards the achievement of tangible outcomes.

11. In the Human Rights Council, as well as in other United Nations forums, Brazil seeks to articulate partnerships capable of deriving benefit from both South-South and North-South dialogues for the promotion and protection of human rights.

12. Examples of this type of engagement include Brazil's joint submission to the General Assembly of a resolution reaffirming the universality, indivisibility and interdependence of all human rights. Brazil's joint submission of resolutions on the right to privacy in the digital age is also worth recalling. In addition, Brazil has been involved, as a core group member, in the negotiation of several resolutions regularly submitted to the Council, including on: the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, HIV/AIDS, the safety of journalists, the promotion of human rights through sport and the Olympic ideal, technical cooperation, the negative impact of corruption on the enjoyment of human

rights, the fight against racism and racial discrimination, the elimination of discrimination against persons affected by leprosy and their family members and the importance of national systems and mechanisms to follow up on the implementation of human rights recommendations and decisions.

Commitment to advancing all human rights in Brazil

13. At the national level, Brazil reiterates its determination to continue to promote, protect and respect the human rights and fundamental freedoms of all, in all their interrelated dimensions. The Brazilian Government gives priority to initiatives that associate the promotion and protection of human rights with the country's development efforts, in order to empower people to fully enjoy their rights.

14. The planning and execution of national human rights policies are firmly anchored in the third National Human Rights Programme (PNDH-3), adopted in 2010. It sets forth a range of commitments and guidelines for State action and prioritizes human rights as a cross-cutting component of public policies and mechanisms. PNDH-3 is the product of broad discussions among government agencies at the local, state and federal levels and civil society movements and organizations across the country. In addition, the programme mainstreams the principles of the universality, indivisibility and interdependence of all human rights into public policy.

15. In recent years, Brazil has achieved significant progress on a number of fronts related to human rights and has identified areas in which challenges are yet to be confronted.

16. Progress has been remarkable in many areas, including: the fight against extreme poverty and the promotion of the right to an adequate standard of living; the promotion of the right to adequate food; human rights education and training; the promotion and protection of the rights of children and adolescents, older persons and persons with disabilities; the fight against all forms of discrimination and the promotion of the realization of human rights for all, with a particular focus on people of African descent and indigenous peoples, in view of their historical and long-standing economic and social marginalization; the fight against all forms of gender-based violence and discrimination and the promotion of all women's rights; the promotion and protection of the human rights of vulnerable groups; the fight against torture; the protection of human rights defenders; ensuring the right to access to public information and realizing the right to memory and truth.

17. In acknowledging the existence of remaining challenges, Brazil reaffirms its commitment to address and bridge existing gaps.

18. Brazil understands that the activities of the Office of the United Nations High Commissioner for Human Rights and those of the bodies and mechanisms of the United Nations human rights system have provided us with invaluable opportunities to better understand and to overcome many of these challenges. The standing invitation to special procedures mandate holders extended by Brazil since 2001 reflects Brazil's confidence in the effectiveness of such mechanisms.

Commitment to continue to support human rights activities in the United Nations system

19. Brazil reaffirms its commitment to supporting the Office of the United Nations High Commissioner for Human Rights with a view to the effective fulfilment of its

mandate. Brazil will continue to explore ways to enhance its contribution to technical assistance and capacity-building within the scope of the Human Rights Council and in partnership with the Office of the High Commissioner.

20. Brazil attaches great importance to the realization of the full potential of the Human Rights Council and the United Nations human rights system, in support of cooperation with countries seeking to address their respective challenges, for which they may lack the required capacity. As we recognize and face our own challenges in an open and transparent way, we are increasingly supportive of international cooperation through innovative practices and policies.

21. Brasilia was pleased to host, in partnership with the Office of the United Nations High Commissioner for Human Rights, the meeting for Latin America and Caribbean on the International Decade for People of African Descent, from 3 to 4 December 2015. The meeting brought together States, national human rights institutions, civil society organizations and experts working on the human rights of people of African descent from the entire region. The discussion, organized around the themes of the Decade — recognition, justice and development — provided States and other stakeholders with a useful opportunity to share experiences and to reinforce commitments to advance the human rights of people of African descent.

22. A core objective of the 2030 Agenda for Sustainable Development is to leave no one behind. For Brazil, a human rights perspective underpins all aspects of the 2030 Agenda, which envisages a world of universal respect for equality and non-discrimination. As a member of the Human Rights Council, Brazil will work to ensure that the implementation of the 2030 Agenda leads to the respect, protection and fulfilment of civil, cultural, economic, political and social rights, as well as the right to development. As we strive to eradicate poverty, combat inequality and promote environmentally and socially inclusive policies, we are ultimately working for the promotion of human rights and for reaching those furthest behind first.

Voluntary pledges

23. In view of the above, Brazil pledges to:

(a) Continue to actively participate in the activities of the Human Rights Council, in dialogue with other bodies and mechanisms of the United Nations human rights system, on the basis of the principles of universality, impartiality, objectivity and non-selectivity, through strengthening dialogue and international cooperation;

(b) Contribute to the ongoing dialogue on the enhancement of the efficiency and effectiveness of the Human Rights Council in the fulfilment of its mandate, as outlined by General Assembly resolution 60/251, including the need to strengthen the preventive dimension of the Council's mandate;

(c) Seek to engage the membership on the further improvement and strengthening of the universal periodic review;

(d) Continue to support technical assistance and capacity-building activities, in consultation with and according to priorities set by the States concerned, to contribute to the implementation of recommendations accepted under the universal periodic review or received from any other mechanism of the international human rights system;

(e) Effectively implement the recommendations accepted as part of the universal periodic review and received from other mechanisms of the international human rights system;

(f) Uphold its commitment to the strengthening of international cooperation on human rights, in line with the significant experience already acquired in this field, and enhance synergies and cooperation between the Human Rights Council and regional and subregional human rights bodies and mechanisms;

(g) Promote and respect the principles of equality and non-discrimination, both domestically and internationally, in particular with regard to religious discrimination and intolerance, racism, racial discrimination, xenophobia and related intolerance and violence and discrimination against vulnerable groups;

(h) Remain fully engaged in all discussions on the importance of the promotion and protection of human rights on the Internet, in particular the rights to privacy and freedom of expression;

(i) Persist in its unwavering commitment to gender equality and the empowerment of women, with emphasis on ending violence against women and girls and promoting the full participation and leadership of women in the political and economic spheres;

(j) Remain committed to the completion of the negotiation of an international legal instrument on the rights of older persons;

(k) Continue its involvement in the promotion and protection of the human rights of children and adolescents, with a focus on combating violence against children, child sexual exploitation and child labour;

(l) Remain engaged in the promotion and protection of the right to the highest attainable standard of physical and mental health, which contributes to and is dependent on the realization of many other human rights;

(m) Continue to emphasize the importance of implementing the right to development, an important tool to surmount the challenges to our common future, including poverty, inequality, hunger, unemployment, lack of access to clean water and sanitation and limited sources of energy and natural resources;

(n) Continue to promote and protect the rights of persons with disabilities, so as to ensure their full participation in society;

(o) Promote the full realization of the human rights of all migrants and refugees, regardless of their migratory status, and combat discrimination against and stigmatization of such individuals;

(p) Remain engaged in the promotion of the implementation of the commitments contained in the United Nations Declaration of the Rights of the Indigenous Peoples and the outcome document of the World Conference on Indigenous Peoples.